

**SEMINOLE COUNTY GOVERNMENT  
BOARD OF ADJUSTMENT  
AGENDA MEMORANDUM**

**SUBJECT:** REQUEST FOR REAR YARD SETBACK VARIANCE FROM 20 FEET TO 17.5 FEET FOR A PROPOSED COVERED SCREEN ROOM (CARL VANO, APPLICANT).

**DEPARTMENT:** Planning & Development **DIVISION:** Planning

**AUTHORIZED BY:** Earnest McDonald **CONTACT:** Kathy Fall **EXT.** 7389

**Agenda Date** 10-27-03 **Regular** ☒ **Consent** ☐ **Public Hearing – 6:00** ☒

**MOTION/RECOMMENDATION:**

1. **APPROVE** THE REQUEST FOR REAR YARD SETBACK VARIANCE FROM 20 FEET TO 17.5 FEET FOR A PROPOSED COVERED SCREEN ROOM (CARL VANO, APPLICANT); OR
2. **DENY** THE REQUEST FOR REAR YARD SETBACK VARIANCE FROM 20 FEET TO 17.5 FEET FOR A PROPOSED COVERED SCREEN ROOM (CARL VANO, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

(District 5 – Commissioner McLain)

(Kathy Fall, Senior Planner)

<b>GENERAL INFORMATION</b>	<b>APPLICANT:</b> CARL VANO <b>LOCATION:</b> 3173 EGRETS LANDING DRIVE <b>ZONING:</b> PUD (EGRETS LANDING)
<b>BACKGROUND/ REQUEST</b>	<ul style="list-style-type: none"> <li>• THE APPLICANT PROPOSES TO CONSTRUCT A 288 SF (12 FT X 24 FT) COVERED SCREEN ROOM THAT WOULD ENCROACH 2.5 FEET INTO THE MINIMUM REAR YARD SETBACK.</li> <li>• AS SHOWN ON THE ATTACHED SITE PLAN, THE REAR YARD OF THE SUBJECT PROPERTY ABUTS A COMMON AREA DESCRIBED AS TRACT "P".</li> </ul>
<b>STAFF FINDINGS</b>	<ul style="list-style-type: none"> <li>• THE APPLICANT HAS FAILED TO DEMONSTRATE A HARDSHIP, BASED ON THE STANDARDS FOR GRANTING VARIANCES.</li> <li>• THE REQUEST IS NOT THE MINIMUM VARIANCE NEEDED THAT WOULD MAKE POSSIBLE THE REASONABLE USE OF THE PROPERTY. THE PROPOSED STRUCTURE COULD BE BUILT TO COMPLY</li> </ul>

	<p>WITH THE MINIMUM REAR YARD SETBACK.</p> <ul style="list-style-type: none"><li>• THE REQUEST WOULD CONFER ON THE APPLICANT SPECIAL PRIVILEGES THAT WOULD BE DENIED TO OTHER LANDS IN THE PUD BY ALLOWING ENCROACHMENT INTO THE REAR YARD SETBACK THAT EXCEEDS THE LIMITS OF NEIGHBORHOOD DEVELOPMENT TRENDS.</li></ul>
<b>STAFF RECOMMENDATION</b>	<p>STAFF RECOMMENDS THE BOARD OF ADJUSTMENT DENY THE VARIANCE REQUEST UNLESS THE APPLICANT CAN DEMONSTRATE A HARDSHIP. IF THE BOARD SHOULD DECIDE TO GRANT A VARIANCE, STAFF RECOMMENDS THE FOLLOWING CONDITIONS:</p> <ul style="list-style-type: none"><li>• ANY VARIANCE GRANTED SHOULD APPLY ONLY TO THE PROPOSED COVERED SCREEN ROOM AS DEPICTED ON THE ATTACHED SITE PLAN.</li><li>• ANY ADDITIONAL CONDITION(S) DEEMED APPROPRIATE BY THE BOARD, BASED ON INFORMATION PRESENTED AT THE PUBLIC HEARING.</li></ul>



**VARIANCE  
APPLICATION TO THE SEMINOLE COUNTY  
BOARD OF ADJUSTMENT**

APPLICANT: Carl Vano

COMPLETE MAILING ADDRESS: 3173 Egrets Landing Dr.

PHONE: WORK: 4078051942 HOME: 4076880518 FAX: \_\_\_\_\_

CELL PHONE: 4073997570 Email: ~~carlvano~~ cvano@create.net

PROPERTY OWNER OF RECORD: Vano Carl G & Joanne L

SITE OF REQUEST: 3173 Egrets landing Dr. Lake Mary FL 32746

STATEMENT OF HARDSHIP: the shape of my lot required the house to be set back an extra 10' ft to meet the 5' building setback requirements on both sides of our lot.

REQUEST: To reduce the rear building setback line of my lot to 8' so that I may (1) add a 12' x 24' Aluminum screen room, (2) add a 10' x 20' wood deck

LEGAL DESCRIPTION OF PROPERTY: Lot 198 Egrets landing ~~SR~~ 54 PGS 96

thru 99

RYSBY from 20' to 8' for proposed deck

RYSBY from 20' to 17.5' for proposed patio (gabled screen room)

TAX PARCEL ID NO. 03-20-30-~~5~~ SRB-6000-1980

KNOWN CODE ENFORCEMENT VIOLATIONS ON PROPERTY: None

**EACH APPLICATION WILL BE ACCOMPANIED BY THE FOLLOWING:**

Applicant must be the property owner. Someone other than the property owner may act on the property owner's behalf at the public hearing; however, a letter of authorization from the property owner must be submitted to the County. One 8.5" X 14" site plan and application fee.

SIGNATURE OF APPLICANT: \_\_\_\_\_ DATE: \_\_\_\_\_

FOR OFFICE USE ONLY	
FEE: _____	CK# _____ RECEIPT# _____ DATE _____ ZONING DISTRICT: <u>PUD</u>
FURTHER DESCRIBED AS: _____	
LOT SIZE: _____	
PROCESSING:	
A. LEGAL AD TO NEWSPAPER _____ / _____	B. NOTICE TO PROPERTY OWNERS _____
C. PLACARDS / NOTICE _____ / _____	D. PROJECT NO. <u>03-30000149</u>
E. BOARD ACTION / DATE _____ / _____	F. LETTER TO APPLICANT _____
G. PUD SETBACKS _____	

INITIAL CONFERENCE 09-10-03

BCC DISTRICT 5-McLain

PLANNER ERM

FILE NO. BV-2003 - 146

(Deck)  
\* not a structure - variance not  
required)

MEETING DATE 10-27-03

GUI  
PROJ. #

ZONED: PUD

SEC: 3, 10

TWP: 20

RNG: 30

<b>DEVELOPMENT:</b>		Egret's Landing (fka Chase Groves South Village) (Tracts JJ, LL, MM of F.M.P. for Chase Groves PUD)				<b>DEVELOPER:</b>		Lake Mary 32746									
<b>LOCATION:</b>		E side of Longwood-Lake Mary Road, S of Airport Boulevard 224 lots															
<b>FILE#:</b>		<b>BA:</b>		<b>SP:</b>		<b>BCC:</b>											
<b>P&amp;Z:</b>																	
<b>PB</b>	<b>54</b>	<b>PG</b>	<b>96-99</b>	<b>Lot</b>		<b>Blk</b>		<b>Parcel</b>									
								<b>DBA</b>									
								<b>Comm Dist</b>	<b>5</b>								
<b>DEVEL. ORDER #:</b>				<b>TAX PAR. I.D. #:</b>													
<b>SIDEWALKS:</b>				<b>SETBACK REQUIREMENTS</b>													
4' sidewalks both sides of internal streets.				<table border="1"> <tr> <td><b>FY:</b></td> <td><b>20'</b></td> <td><b>SIDE ST.:</b></td> <td><b>15'</b></td> <td><b>SY:</b></td> <td><b>5'</b></td> <td><b>RY:</b></td> <td><b>20'</b></td> </tr> </table>						<b>FY:</b>	<b>20'</b>	<b>SIDE ST.:</b>	<b>15'</b>	<b>SY:</b>	<b>5'</b>	<b>RY:</b>	<b>20'</b>
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<b>ROAD TYPE:</b>				<b>MAIN STRUCTURE OTHER:</b>													
(CURB & GUTTER OR SWALE)																	
<b>COMMENTS OTHER:</b>				<b>ACCESSORY STRUCTURE SETBACKS:</b>													
1) Addressed to Lake Mary, Florida 32746				<b>SY:</b>													
2) Minimum lot width: 55'; Minimum dwelling size: 700 sq. ft.; Minimum lot size: 5,000 sq. ft.; 45' at building line minimum lot width.				<b>10'</b>													
3) The retention and conservation areas and their access shall be platted as tracts.				<b>RY:</b>													
				<b>10'</b>													
				<b>ACCESSORY STRUCTURE OTHER:</b>													
				Attached: same as main building: rear 10'													
				Detached: same as main building not to project beyond the main residence, rear yard - 10'													

- 4) 6' chain link fence within 10' landscape easement for lots abutting Old Lake Mary Road and CSX RR corridor.
- 5) 6' masonry wall to be located within 15' of landscape easement with the exception of area adjacent to Tracts O and H.
- 6) Provide sidewalk easements around all cul-de-sacs to allow adequate room for utility and separation between sidewalk and curb.
- 7) Vegetation will be preserved within the s5' landscape easement except for minimal removal necessary for wall construction.
- 8) Side street driveways on corner lots are prohibited where the side street set back is 15'.

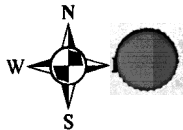
**IMPACT FEES**

<b>SCREEN:</b>	
<b>TRAFFIC ZONE:</b>	<b>17</b>
<b>LAND USE:</b>	<b>1</b>
<b>1. ROAD-CO. WIDE</b>	<b>705.00</b>
<b>2. ROAD-COLL.</b>	<b>147.00</b>
<b>3. LIBRARY</b>	<b>54.00</b>
<b>4. FIRE</b>	<b>172.00</b>
<b>5. PARK</b>	
<b>6. SCHOOL</b>	<b>1,384.00</b>
<b>7. LAW</b>	
<b>8. DRAINAGE</b>	<b>200.00</b>
<b>TOTAL</b>	<b>\$2,657.00</b>
<b>REMARKS:</b>	
4' sidewalks both sides of internal streets.	
2' Miami curb typical	

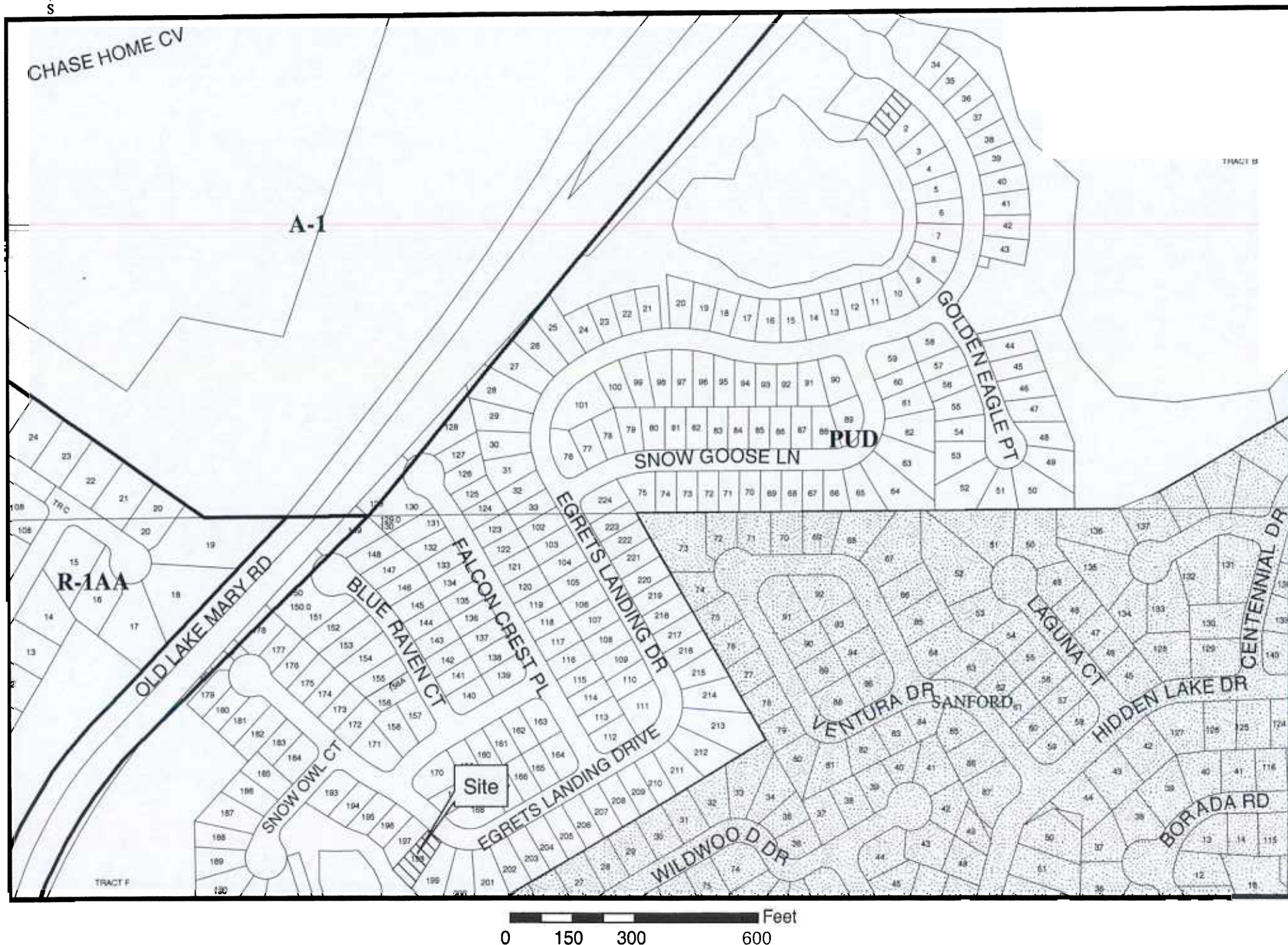
## COMMITMENT CARD

Instructions: print two-sided on card stock and cut along the left and bottom border.





Carl Vano  
3173 Egrets Landing Drive



**SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER**

On October 27, 2003, Seminole County issued this Development Order relating to and touching and concerning the following described property:

**Leg** Lot 198 Egrets Landing PB 54 PGS 96 thru 99

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

**FINDINGS OF FACT**

**Property Owner:** Carl Vano  
3173 Egrets Landing Drive  
Lake Mary, FL 32773

**Requested Development Approval:**

- 1 Rear yard setback variance from 20 feet to 17.5 feet for a covered screen room.

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: Kathy Fall  
1101 East First Street  
Sanford, Florida 32771

**Order****NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:**

The aforementioned application for development approval is **GRANTED**.

All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.

The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:

- a. The variance granted will apply only to the covered screen room as shown on the attached site plan.
- (4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.
- (5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.



Done and Ordered on the date first written above.

By: \_\_\_\_\_  
Matthew West  
Planning Manager

STATE OF FLORIDA       )  
COUNTY OF SEMINOLE    )

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Matthew West who is personally known to me or who has produced \_\_\_\_\_ as identification and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

\_\_\_\_\_  
Notary Public, in and for the County and State  
Aforementioned

My Commission Expires: